



jurisdictional issues was addressed by this Court in Steele v. Underwriters Adjusting Company, 649 F.Supp. 1414 (M.D. Ala. 1986). In Steele, the issue before the Court was whether the Court had jurisdiction under 28 U.S.C. §1332. Specifically, the issue was whether the amount in controversy exceeded \$10,000.00. In order to clarify the situation, the trial court ordered that limited discovery be conducted solely as to that issue.

A period of discovery which has as its sole purpose the determination of the amount in controversy would clarify the jurisdictional question in this case. This will give the Defendant an opportunity to submit requests for admissions, etc., in an effort to require Plaintiff to be specific regarding the value of Plaintiffs case. It will also give the Plaintiff an opportunity to submit an affidavit admitting that his case is worth less than \$10,000.00, if that was, in fact, what Plaintiff was attempting to do in his motion to remand.

Steele at 1418.

3. At issue here is whether there exists a substantial federal question that will allow this Court to retain jurisdiction over this matter. Obviously, the Court will be unable to make any such determination absent the Court knowing exactly what federal regulation the Plaintiff claims has been violated and the facts surrounding any such alleged violation.

WHEREFORE, premises considered, Defendant respectfully requests that this Court enter an order allowing Defendant to conduct limited discovery solely as to the issues of jurisdiction in an effort to determine whether, in fact, federal question does exist.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this October 31, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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